IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTIETH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.24764 of 2004

Between:

Smt. Gunja Ramanamma W/o Tirupalu
Venkatapuram Village & Mandal Khammam District.

..... PETITIONER

AND

The Mandal Revenue Officer, Venkatapuram , Khammam District.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the respondent and his subordinates in taking steps to dispossess the petitioner and also contemplating to assign the same land to third parties in respect of the dry land admeasuring Ac. 4.78 cts in sy.no.101, situated at Venkatapuram Village & mandal of Khammam district without issuing any notice and without initiating any proceedings is illegal, arbitrary and violative of principles of natural justice and consequently direct the respondent and his subordinates not to dispossess the petitioner from the said land.

Counsel for the Petitioner: MR.KOWTURU VINAYA KUMAR

Counsel for the Respondent: GP FOR REVENUE

The Court, at the admission stage, made the following:

ORDER:

The petitioner claims to be in possession and enjoyment of dry land admeasuring Ac.4.78 cents situated in Survey No.101 of Venkatapuram village and Mandal, Khammam District under D Form patta issued by the respondent-Mandal Revenue Officer dated 10.02.2001. The grievance of the petitioner is that the respondent-Mandal Revenue Officer without issuing any notice and without conducting enquiry by following due process of law, is now trying to dispossess her from the land in question and to assign the same to third parties. Hence, she filed the present writ petition.

Heard the learned counsel for petitioner and learned Government Pleader for Revenue. Both counsel agreed to dispose of the writ petition at the admission stage.

Having regard to the facts and circumstances of the case, without going into the merits of the matter, I deem it appropriate to dispose of the writ petition with a direction to the respondent-Mandal Revenue Officer to conduct an enquiry i.e., by issuing notice to the petitioner and affording an opportunity of hearing to her, and pass appropriate orders in accordance with law. Till the enquiry is completed and final orders are passed, status quo existing as on today shall be maintained.

With the above direction, the writ petition is disposed of. No costs.

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(N.V. RAMANA, J)

Date: 30.12.2004

Nsr/Tvk

To

1 The Mandal Revenue Officer, Venkatapuram , Khammam District.

2 Two CCs to GP for Revenue, High Court of AP, Hyderabad (OUT)

3 Two CD copies.